

STATE OF MONTANA LEGISLATURE
HOUSE AGRICULTURE COMMITTEE
HEARING ON HB 318

TESTIMONY OF ERVIN CARLSON, OPPONENT
ON BEHALF OF THE
INTERTRIBAL BUFFALO COUNCIL

Honorable members of the House Agriculture Committee, I am Ervin Carlson, Blackfeet Tribal member and President of the InterTribal Buffalo Council (ITBC), a coalition of 55 federally recognized Tribes across 18 states, including all seven Tribes in Montana. I thank you for this opportunity to provide testimony in opposition of HB 318, a bill that requires approval of County Commissioner before Department of Livestock or Fish, Wildlife & Parks may permit wild buffalo certified a brucellosis free to be relocated in Montana in nearby counties. On behalf of ITBC, I am submitting testimony on HB 318 and respectfully request this testimony be entered into the hearing record and transcript.

ITBC is vehemently opposed to HB 318 as it effectively removes Montana Tribes from participating in much needed dialogue with state agencies and the public in the conservation and management of the Yellowstone bison herd. Too often, Montana's Tribes find themselves in merely an optional consultation role in state legislation and only mentioned as recipients of donated meat of slaughtered bison. With our vast technical expertise in bison management, ITBC and our Montana member Tribes have been consistently advocating for a direct cooperative partnership with the state in bison management. HB 318 is one more example of Montana disregarding any opportunity for government to

28 government partnerships with Tribes on a unique and contentious issue in favor
29 of a few interests.

30 Rather, this legislation relinquishes any consultation and decision making
31 authority from the state agencies with regard to Tribal relationships and hands
32 this role over to county commissioners. Furthermore, this bill allows the
33 department to adopt rules "governing" tribal participation in the program. Any
34 provision governing tribal participation undermines Tribes as sovereign
35 governments and communities and reaches far beyond the state's authority.
36 This exceedingly authoritative measure is baseless as Montana has no
37 jurisdiction to govern tribal participation concerning the management of bison and
38 seriously impedes a government to government relationship

39 Our member Tribes collectively raise over 17,000 buffalo and have made
40 remarkable progress in restoring bison to Indian Country, which provides a great
41 deal of suitable bison habitat. Tribes offer substantial technical expertise and
42 incredible experience in bison management. As you know, two of our member
43 Tribes, Ft. Peck and Ft. Belknap, stand ready to receive quarantined bison from
44 Yellowstone Park. These Tribes have invested considerable resources into
45 developing the infrastructure needed to provide adequate habitat for these
46 animals. The state has an opportunity to share in the management costs and
47 responsibilities with Tribes, effectuating a mutually beneficial relationship with
48 Tribes. As such, Tribes can offer the critical habitat expansion needed for
49 effective conservation based management for bison. However, the state must

50 demonstrate a willingness for multiple use management and the desire to partner
51 with Tribes rather than dictate Tribal partnership.

52 In conclusion, I strongly urge you to vote against this bill. HB 318 would
53 send a strong message to Tribes that Montana is not willing to engage with
54 Tribes as capable and knowledgeable governmental partners in bison
55 management. On behalf of the Intertribal Buffalo Council, thank you for this
56 opportunity to provide this testimony in an effort to conserve this unique herd.